

CAREER AND TECHNICAL EDUCATION AMENDMENTS

Representative Bigelow -- UCAT Version

LONG TITLE

General Description:

This bill modifies provisions relating to career and technical education, including governance structures.

Highlighted Provisions:

This bill:

- ▶ modifies terminology, definitions, and other provisions relating to career and technical education;
- ▶ modifies the governance structure for career and technical education;
- ▶ modifies the membership of the State Board of Regents;
- ▶ modifies the membership, appointment procedures, and duties of the Utah College of Applied Technology's Board of Trustees;
- ▶ Restructures the Salt Lake/Tooele Campus of the Utah College of Applied Technology as follows:
 - transfers the Salt Lake portion of the campus to the Salt Lake Community College; and
 - retains the Tooele portion of the campus as the Tooele Campus of the Utah College of Applied Technology;
- ▶ creates a career and technical education board of directors at Salt Lake Community College and specifies its membership and duties;
- ▶ modifies career and technical education reporting provisions;
- ▶ prohibits the State Board of Regents from conducting a feasibility study or performing another act relating to merging certain institutions with another institution of higher education;
- ▶ requires legislative appropriations for career and technical education programs at Salt Lake Community College, Snow College, and the College of Eastern Utah to be made as separate line items; and

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31 ▶ makes technical corrections.

32

33 **Monies Appropriated in this Bill:**

34 None

35 **Other Special Clauses:**

36 This bill takes effect on July 1, 2009.

37 List of sections affected:

38 AMENDS:

39 53A-1-402

40 53A-15-202

41 53B-1-103

42 53B-1-104

43 53B-2a-101

44 53B-2a-102

45 53B-2a-103

46 53B-2a-104

47 53B-2a-105

48 53B-2a-106

49 53B-2a-107

50 53B-2a-108

51 53B-2a-109

52 53B-2a-110

53 53B-2a-111

54 53B-2a-112

55 53B-2a-113

56 53B-6-101

57 53B-16-102

58 53B-16-204

59 53B-16-205

60 53B-16-206

61 53B-16-207

62 53B-16-208

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63 ENACTS:

64 53B-16-209

65 53B-16-210

66

67 Statutory text:

68

69 **53A-15-202. Powers of the board.**

70 The State Board of Education:

71 (1) shall establish minimum standards for ~~[applied technology]~~ career and technical
72 education programs in the public education system;

73 (2) may apply for, receive, administer, and distribute funds made available through
74 programs of federal and state governments to promote and aid ~~[applied technology]~~ career
75 and technical education;

76 (3) shall cooperate with federal and state governments to administer programs which
77 promote and maintain ~~[applied technology]~~ career and technical education;

78 (4) shall cooperate with the Utah College of Applied Technology to ensure that
79 students in the public education system have access to ~~[applied technology]~~ career and
80 technical education at Utah College of Applied Technology campuses;

81 (5) shall require that before a minor student may participate in clinical experiences as
82 part of a health care occupation program at a high school or other institution to which the
83 student has been referred, the student's parent or legal guardian has:

84 (a) been first given written notice through appropriate disclosure when registering and
85 prior to participation that the program contains a clinical experience segment in which the
86 student will observe and perform specific health care procedures that may include personal
87 care, patient bathing, and bathroom assistance; and

88 (b) provided specific written consent for the student's participation in the program and
89 clinical experience; and

90 (6) shall, after consulting with ~~[local]~~ school districts and charter schools, prepare and
91 submit an annual report to the governor and to the Legislature's Education Interim
92 Committee by October 31 of each year detailing:

93 (a) how the ~~[applied technology]~~ career and technical education needs of secondary
94 students are being met; and

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(b) what access secondary students have to programs offered:

(i) at applied technology colleges; and

(ii) within the regions served by Snow College and the College of Eastern Utah.

53B-1-103. Establishment of State Board of Regents -- Powers and authority.

(1) There is established a State Board of Regents.

(2) (a) ~~[The]~~ Except as provided in Subsection (2)(b), the board is vested with the control, management, and supervision of the institutions of higher education designated in Section 53B-1-102 in a manner consistent with the policy and purpose of this title and the specific powers and responsibilities granted to it.

(b) The board ~~[is vested with the following]~~ may only exercise powers relating to the Utah College of Applied Technology and its college campuses~~[:]~~ that are specifically provided in this title.

~~[(i) approving each competency-based associate of applied technology degree before allowing a college campus to offer the degree;~~

~~—— (ii) making rules governing the transfer of applied technology education degrees awarded by the Utah College of Applied Technology to other higher education institutions;~~

~~—— (iii) appointing the president for the Utah College of Applied Technology in accordance with Section 53B-2a-102 and board policy; and~~

~~—— (iv) facilitating and coordinating the operation of the Utah College of Applied Technology within the system of higher education.]~~

(c) Except for the Utah College of Applied Technology, the board may modify the name of an institution under its control and management, as designated in Section 53B-1-102, to reflect the role and general course of study of the institution.

(d) The board may not conduct a feasibility study or perform another act relating to merging any of the following institutions with another institution of higher education:

(i) the Bridgerland Applied Technology College Campus;

(ii) the Ogden-Weber Applied Technology College Campus;

(iii) the Davis Applied Technology College Campus;

(iv) the Tooele Applied Technology College Campus;

(v) the Mountainland Applied Technology College Campus;

(vi) the Uintah Basin Applied Technology College Campus;

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(vii) the Southwest Applied Technology College Campus; and

(viii) the Dixie Applied Technology College Campus.

(3) The board is the State Postsecondary Review Entity for Utah for purposes of Title IV, Part H, of the federal Higher Education Act of 1965, as amended by the Higher Education Act Amendments of 1992.

(4) This section does not affect the power and authority vested in the State Board of Education to apply for, accept, and manage federal appropriations for the establishment and maintenance of ~~[applied technology]~~ career and technical education.

53B-1-104. Membership of the board -- Student appointee -- Terms -- Oath -- Officers -- Committees -- Bylaws -- Meetings -- Quorum -- Vacancies -- Compensation.

(1) (a) The board shall consist of ~~[48]~~ 19 residents of the state.

(b) (i) Fifteen members shall be appointed by the governor with the consent of the Senate.

(ii) (A) One additional member shall be appointed by the governor from nominations of the student body presidents council.

(B) The council shall nominate three qualified, matriculated students enrolled in the state institutions of higher education.

(C) Student body presidents are not eligible for nomination.

(iii) All appointments to the board shall be made on a nonpartisan basis.

(iv) In making appointments to the board, the governor shall select:

(A) individuals from the state at large with due consideration for geographical representation; and

(B) at least three individuals with personal experience in ~~[applied technology]~~ career and technical education, which could include service on a campus board of directors.

(c) (i) In addition to the members designated under Subsection (1)(b), two members of the State Board of Education, appointed by the chair of the State Board of Education, shall serve as nonvoting members of the board.

(ii) A nonvoting State Board of Education member shall continue to serve as a member without a set term until the member is replaced by the chair of the State Board of Education.

(d) In addition to the members designated under Subsection (1)(b), one member of

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159 the Utah College of Applied Technology Board of Trustees, appointed by the chair of the
160 Utah College of Applied Technology Board of Trustees, shall serve as a nonvoting member
161 of the board.

162 (ii) A nonvoting Utah College of Applied Technology Board of Trustees member shall
163 continue to serve as a member without a set term until the member is replaced by the chair
164 of the Utah College of Applied Technology Board of Trustees.

165 (2) (a) Five members of the board, other than the student member, [and] the State
166 Board of Education members, and the Utah College of Applied Technology Board of
167 Trustees member, shall be appointed during each odd-numbered year to six-year staggered
168 terms which commence on July 1 of the year of appointment.

169 (b) (i) The student member shall be appointed for a one-year term and may be
170 reappointed for one additional term.

171 (ii) The student member has full voting rights and may vote on selection of a board
172 chair or vice chair, but not serve in either office.

173 (c) Board members shall hold office until their successors have been appointed and
174 qualified.

175 (3) (a) Each member of the board shall take the official oath of office before entering
176 upon the duties of office.

177 (b) The oath shall be filed with the Division of Archives and Records Services.

178 (4) The board shall elect a chair and vice chair from its members who shall serve
179 terms of two years and until their successors are chosen and qualified.

180 (5) (a) The board shall appoint a secretary from the staff of its chief executive to serve
181 at its discretion.

182 (b) The secretary shall be a full-time employee who receives a salary set by the
183 board.

184 (c) The secretary shall record and maintain a record of all board meetings and
185 perform other duties as the board directs.

186 (6) The board shall appoint a treasurer who serves at the discretion of the board.

187 (7) (a) The board may establish advisory committees.

188 (b) The powers and authority of the board are nondelegable, except as specifically
189 provided for in this title.

190 (c) All matters requiring board determination shall be addressed in a properly

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191 convened meeting of the board or its executive committee.

192 (8) The board shall enact bylaws for its own government not inconsistent with the
193 constitution or the laws of this state.

194 (9) (a) The board shall meet regularly upon its own determination.

195 (b) The board may also meet, in full or executive session, at the request of its chair,
196 its executive officer, or five members of the board.

197 (10) A quorum of the voting members of the board is required to conduct its business
198 and consists of nine members.

199 (11) (a) A vacancy in the board occurring before the expiration of a voting member's
200 full term shall be immediately filled by appointment by the governor with the consent of the
201 Senate.

202 (b) The appointee serves for the remainder of the unexpired term.

203 (12) (a) Each member of the board shall receive a per diem as provided by law as
204 compensation for services for attending meetings of the board.

205 (b) Each member shall also be paid actual expenses incurred for attending meetings
206 of the board or its committees or for attending to any business of the institutions under the
207 direction of the board or authority of the board or its committees.

208

209 **53B-2a-101. Definitions.**

210 As used in this chapter:

211 (1) "[~~Applied technology~~] Career and technical education" means organized
212 educational programs offering sequences of courses or skill sets directly related to preparing
213 individuals for paid or unpaid employment in current or emerging occupations that do not
214 require a baccalaureate or advanced degree.

215 (2) "Board of trustees" means the Utah College of Applied Technology Board of
216 Trustees.

217 (3) "College campus " means a college campus of the Utah College of Applied
218 Technology.

219 (4) "Competency-based" means mastery of subject matter or skill level, as
220 demonstrated through business and industry approved standards and assessments,
221 achieved through participation in a hands-on learning environment, and which is tied to
222 observable, measurable performance objectives.

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223 (5) "High wage jobs" means jobs with an annual salary at or above the median salary
224 in the service region of the college campus.

225 (6) "Open-entry, open-exit" means:

226 (a) a method of instructional delivery that allows for flexible scheduling in response to
227 individual student needs or requirements and demonstrated competency when knowledge
228 and skills have been mastered; ~~[and]~~

229 (b) students have the flexibility to begin or end study at any time, progress through
230 course material at their own pace, and demonstrate competency when knowledge and skills
231 have been mastered~~[-] ; and~~

232 ~~_____~~ (c) ~~[f]~~ if competency is demonstrated in a program of study, a credential, certificate,
233 diploma, or degree may be awarded.

234

235 **53B-2a-102. President -- Appointment -- Duties.**

236 (1) (a) The board ~~of trustees~~ shall appoint a president for the Utah College of Applied
237 Technology.

238 (b) The president of the Utah College of Applied Technology does not need to have a
239 doctorate degree, but shall have extensive experience in ~~[applied technology]~~ career and
240 technical education.

241 (c) The president shall serve at the ~~[board's]~~ board of trustee's discretion.

242 (d) The names of the final candidates for president of the Utah College of Applied
243 Technology shall be publicly disclosed.

244 (e) The chair and vice chair of the Utah College of Applied Technology Board of
245 Trustees shall be members of the search committee for the president.

246 (2) The president shall:

247 (a) direct the Utah College of Applied Technology and coordinate the activities of
248 each of its college campuses;

249 ~~[(b) in cooperation with the board of trustees and with the approval of the board,~~
250 ~~develop a competency-based associate of applied technology degree;]~~

251 ~~[(c) ensure that, pursuant to State Board of Regents' rules, an [applied technology]~~
252 ~~career and technical education degree is primarily a terminal degree, but is transferable to a~~
253 ~~bachelor's degree in [applied technology] career and technical education at other higher~~
254 ~~education institutions under specific articulation agreements;]~~

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255 ~~[(d)]~~ (b) in consultation with the board of trustees, campus presidents, and campus
256 boards of directors, prepare a comprehensive strategic plan for delivering ~~[applied~~
257 ~~technology]~~ career and technical education through the Utah College of Applied Technology
258 college campuses;

259 ~~[(e)]~~ (c) after consulting with ~~[local]~~ school districts, charter schools and other higher
260 education institutions in the regions, ensure that the curricula of the Utah College of Applied
261 Technology meet the needs of the state, the regions, and the ~~[local]~~ school districts;

262 ~~[(f)]~~ (d) in consultation with the board of trustees, campus presidents, and campus
263 boards of directors, and after consulting with ~~[local]~~ school districts, charter schools, and
264 other higher education institutions in the region, develop strategies for providing ~~[applied~~
265 ~~technology]~~ career and technical education in rural areas, specifically considering the
266 distances between rural ~~[applied technology]~~ career and technical education providers;

267 ~~[(g)]~~ (e) establish minimum standards for ~~[applied technology]~~ career and technical
268 education programs of the Utah College of Applied Technology college campuses;

269 ~~[(h)]~~ (f) in conjunction with the board of trustees, do the following:

270 (i) develop and implement a system of common definitions, standards, and criteria for
271 tracking and measuring the effectiveness of ~~[applied technology]~~ career and technical
272 education;

273 (ii) maintain a central administration office for coordination, prioritization, support, and
274 reporting of college functions dealing with:

275 (A) budgets and audits;

276 (B) facilities, including capital, capital development, and leases;

277 (C) management information systems;

278 (D) campus and college master planning efforts;

279 (E) strategic planning;

280 (F) articulation;

281 ~~[(f)]~~ (G) legislative, State System of Public Education, State System of Higher
282 Education, and Board of Regents contact;

283 ~~[(g)]~~ (H) general data collection; and

284 ~~[(h)]~~ (I) programs, certificates, and curriculum; and

285 (iii) develop and implement a plan to inform citizens about the availability, cost, and
286 advantages of ~~[applied technology]~~ career and technical education;

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287 ~~(f)~~ (g) after consulting with the State Board of Education, ~~[and local]~~ school districts,
288 and charter schools, ensure that secondary students in the public education system have
289 access to ~~[applied technology]~~ career and technical education through the Utah College of
290 Applied Technology college campuses; ~~[and]~~

291 ~~(f)~~ (h) provide expertise ~~[and monitor]~~ ~~[applied technology]~~ for career and technical
292 education within the regions served by Salt Lake Community College, Snow College, and the
293 College of Eastern Utah in accordance with Sections 53B-16-205, ~~[and]~~ 53B-16-207, and
294 53B-16-209;

295 (i) in conjunction with the board of trustees, establish benchmarks, provide oversight,
296 evaluate program performance, and obtain independent audits to ensure that college
297 campuses follow the non-credit career and technical education mission described in this part;
298 and

299 (j) appoint campus presidents in accordance with Section 53B-2a-107 and set their
300 salaries with the approval of the board of trustees.

301

302 **53B-2a-103. Utah College of Applied Technology Board of Trustees --** 303 **Membership -- Terms -- Vacancies -- Oath -- Officers -- Quorum -- Committees --** 304 **Compensation.**

305 (1) There is created the Utah College of Applied Technology Board of Trustees,
306 composed of the following members:

307 (a) ~~[two members]~~ one member of the State Board of Education appointed by the
308 ~~[governor with the consent of the Senate]~~ chair of the State Board of Education;

309 (b) ~~[two members]~~ one member of the State Board of Regents appointed by the
310 ~~[governor with the consent of the Senate]~~ chair of the State Board of Regents;

311 (c) one member representing business and industry employers from the regional
312 board of each regional applied technology college appointed by a majority vote of the
313 business and industry members of the regional board;

314 (d) one member representing business and industry from the Snow College applied
315 ~~[applied technology]~~ career and technical education advisory committee appointed by a
316 majority of the business and industry members of the advisory committee;

317 (e) one member representing business and industry from the College of Eastern Utah
318 ~~[applied technology]~~ career and technical education advisory committee appointed by a

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majority of the business and industry members of the advisory committee; [and]

(f) one member representing business and industry from the Salt Lake Community College career and technical education board of directors appointed by a majority of the business and industry members of the board of directors;

[(f)] (g) one business or industry representative appointed by the governor with the consent of the Senate from nominations submitted by the speaker of the House of Representatives and president of the Senate[-] ; and

(h) one representative of union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate;

(i) one representative of non-union craft, trade, or apprenticeship programs that prepare workers for employment in career and technical education fields, appointed by the governor with the consent of the Senate;

(j) the executive director of the Department of Workforce Services or the executive director's designee; and

(k) the executive director of the Governor's Office of Economic Development or the executive director's designee

(2)(a) In making appointments to the board of trustees, the governor shall consider:

(i) individuals from the state at large with due consideration for geographical representation;

(ii) individuals recognized for their knowledge and expertise; and

(iii) individuals who represent current and emerging technical career clusters of the state.

(b) Appointments to the board shall be made on a nonpartisan basis.

[(2)] (3) (a) [The] Except as provided under Subsection (3)(b), members of the board of trustees shall be appointed commencing on [September] July 1 of [the] each odd-numbered year [of appointment] to a four-year term. [to:

—— (i) two-year terms for the members described in Subsections (1)(a) and (b); and

—— (ii) four-year terms for the members described in Subsections (1)(c) through (f).]

(b) Initial terms of the board members beginning on July 1, 2009 shall be staggered with two-year and four-year terms so that approximately one-half of the member's terms will expire in any odd-numbered year.

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351 ~~[(b)]~~ (c) An appointed member holds office until a successor is appointed and
352 qualified.

353 (3) When a vacancy occurs in the membership for any reason, the replacement shall
354 be appointed for the unexpired term.

355 (4) (a) Each member shall take the official oath of office prior to assuming the office.

356 (b) The oath shall be filed with the Division of Archives and Records Services.

357 (5) The board of trustees shall elect a chair and vice chair, who serve for two years
358 and until their successors are elected and qualified.

359 (6) (a) The board of trustees may enact bylaws for its own government, including
360 provision for regular meetings.

361 (b) (i) The board of trustees may provide for an executive committee in its bylaws.

362 (ii) If established, the committee shall have full authority of the board of trustees to act
363 upon routine matters during the interim between board of trustees meetings.

364 (iii) The committee may act on nonroutine matters only under extraordinary and
365 emergency circumstances.

366 (iv) The committee shall report its activities to the board of trustees at its next regular
367 meeting following the action.

368 ~~[(c) Copies of the board of trustees' bylaws shall be filed with the Board of Regents.]~~

369 (7) A quorum shall be required to conduct business which shall consist of a majority
370 of board of trustee members.

371 (8) The board of trustees may establish advisory committees.

372 (9) (a) (i) Members who are not government employees shall receive no
373 compensation or benefits for their services, but may receive per diem and expenses incurred
374 in the performance of the member's official duties at the rates established by the Division of
375 Finance under Sections 63A-3-106 and 63A-3-107.

376 (ii) Members may decline to receive per diem and expenses for their service.

377 (b) (i) State government officer and employee members who do not receive salary,
378 per diem, or expenses from their agency for their service may receive per diem and
379 expenses incurred in the performance of their official duties from the board of trustees at the
380 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

381 (ii) State government officer and employee members may decline to receive per diem
382 and expenses for their service.

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383 (c) (i) Higher education members who do not receive salary, per diem, or expenses
384 from the entity that they represent for their service may receive per diem and expenses
385 incurred in the performance of their official duties from the board of trustees at the rates
386 established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

387 (ii) Higher education members may decline to receive per diem and expenses for their
388 service.

389

390 **53B-2a-104. Utah College of Applied Technology Board of Trustees -- Powers** 391 **and duties.**

392 The Utah College of Applied Technology Board of Trustees shall:

393 ~~[(1) in cooperation with the president of the Utah [College of Applied] Institute of~~
394 ~~Technology, and with the approval of the State Board of Regents, develop~~
395 ~~competency-based associate of [applied technology] career and technical education degrees~~
396 ~~to be offered by the Utah [College of Applied] Institute of Technology;]~~

397 ~~[(2) approve the courses and requirements for the associate of [applied technology]~~
398 ~~career and technical education degrees;~~

399 ~~——— (3) ensure that, pursuant to State Board of Regents' rules, [an applied technology] a~~
400 ~~career and technical education degree is primarily a terminal degree, but is transferable to a~~
401 ~~bachelor's degree in [applied technology] career and technical education at other higher~~
402 ~~education institutions under specific articulation agreements;]~~

403 ~~[(4)]~~ (1) ensure that the Utah College of Applied Technology college campuses
404 comply with the requirements in Section 53B-2a-106;

405 (2) appoint the president for the Utah College of Applied Technology in accordance
406 with Section 53B-2a-102;

407 ~~[(5)]~~ (3) advise the president of the Utah College of Applied Technology and the State
408 Board of Regents on issues related to [applied technology] career and technical education
409 including articulation;

410 ~~[(6)]~~ (4) receive budget requests from each college campus, compile and prioritize the
411 requests, and submit the request to:

412 (a) the Legislature; and

413 (b) the Governor's Office of Planning and Budget;

414 ~~[(7)]~~ (5) receive funding requests pertaining to capital facilities and land purchases

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415 from each college campus, ensure that the requests comply with Section 53B-2a-112,
416 prioritize the requests, and submit the prioritized requests to the State Building Board;

417 (6) in conjunction with the Utah College of Applied Technology president, establish
418 benchmarks, provide oversight, evaluate program performance, and obtain independent
419 audits to and ensure that campuses follow the non-credit career and technical education
420 mission described in this part;

421 ~~[(8)]~~ (7) prepare and submit an annual report detailing its progress and
422 recommendations on ~~[applied technology]~~ career and technical education issues to the
423 governor and to the Legislature's Education Interim Committee by October 31 of each year,
424 which shall include information detailing:

425 (a) how the ~~[applied technology]~~ career and technical education needs of secondary
426 students are being met; and

427 (b) how the emphasis on high demand, high wage jobs in business and industry
428 described in Subsection 53B-2a-106(1)(c)(ii) is being provided; ~~[and]~~

429 (c) job placement; and

430 ~~[(9)]~~ (d) what access secondary students have to programs offered ~~[:]~~

431 ~~—(i)]~~ at college campuses; and

432 (ii) within the regions served by Salt Lake Community College, Snow College, and
433 the College of Eastern Utah;

434 ~~[(9)]~~ (8) receive, by September 30 of each year, an annual report from Salt Lake
435 Community College, Snow College, and the College of Eastern Utah on the status of and
436 maintenance of the effort for ~~[applied technology]~~ career and technical education in the
437 regions served by Salt Lake Community College, Snow College, and the College of Eastern
438 Utah, including access to open-entry, open-exit competency-based ~~[applied technology]~~
439 career and technical education programs at the tuition rate approved by the Utah College of
440 Applied Technology for adults and at no tuition cost to secondary students; and

441 ~~[(10)]~~ (9) ~~[perform other duties and responsibilities prescribed under the policies of]~~
442 collaborate about the delivery of career and technical education with the State Board of
443 Regents, the State Board of Education, the State System of Public Education, the State
444 System of Higher Education, the Department of Workforce Services, and the Governor's
445 Office of Economic Development.

446

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53B-2a-105. Utah College of Applied Technology -- Composition.

The Utah College of Applied Technology is composed of the following college campuses:

(1) the Bridgerland Applied Technology College Campus which serves the geographic area encompassing:

- (a) the Box Elder School District;
- (b) the Cache School District;
- (c) the Logan School District; and
- (d) the Rich School District;

(2) the Ogden-Weber Applied Technology College Campus which serves the geographic area encompassing:

- (a) the Ogden City School District; and
- (b) the Weber School District;

(3) the Davis Applied Technology College Campus which serves the geographic area encompassing:

- (a) the Davis School District; and
- (b) the Morgan School District;

(4) the ~~[Salt Lake/Tooele]~~ Tooele Applied Technology College Campus which serves the geographic area encompassing[:

- ~~(a) the Salt Lake City School District;~~
- ~~(b) the Granite School District;~~
- ~~(c) the Jordan School District;~~
- ~~(d) the Murray School District; and~~
- ~~(e)]~~ the Tooele School District;

(5) the Mountainland Applied Technology College Campus which serves the geographic area encompassing:

- (a) the Alpine School District;
- (b) the Nebo School District;
- (c) the Provo School District;
- (d) the South Summit School District;
- (e) the North Summit School District;
- (f) the Wasatch School District; and

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(g) the Park City School District;

(6) the Uintah Basin Applied Technology College Campus which serves the

geographic area encompassing:

(a) the Daggett School District;

(b) the Duchesne School District; and

(c) the Uintah School District;

(7) the Southwest Applied Technology College Campus which serves the geographic

area encompassing:

(a) the Beaver School District;

(b) the Garfield School District;

(c) the Iron School District; and

(d) the Kane School District; and

(8) the Dixie Applied Technology College Campus which serves the geographic area

encompassing the Washington School District.

53B-2a-106. College campuses -- Duties.

(1) Each Utah College of Applied Technology college campus shall:

(a) offer a non-credit, post-secondary and extra-secondary [applied technology]
career and technical education curriculum;

(b) offer that curriculum at:

(i) market cost to adult students, as approved by the board of trustees [and the State]
Board of Regents]; and

(ii) no tuition to secondary students within the campus' jurisdiction;

(c) provide [applied technology] career and technical education that will result in:

(i) appropriate licensing, certification, or other evidence of completion of training; and

(ii) qualification for specific employment, with an emphasis on high demand, high
wage jobs in business and industry;

~~[(d) offer associate of [applied technology] career and technical degrees that have:~~

~~—— (i) instruction provided in an open-entry, open-exit environment, except as required by~~
~~external entities; and~~

~~—— (ii) been reviewed by the board of trustees and approved by the State Board of~~
~~Regents in accordance with Section 53B-1-103;]~~

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511 ~~[(e)]~~ (d) develop cooperative agreements with ~~[local]~~ school districts, charter schools,
512 other higher education institutions, businesses, industries, and community and private
513 agencies to maximize the availability of instructional facilities; and
514 ~~[(f)]~~ (e) after consulting with ~~[local]~~ school districts and charter schools within the
515 geographic area served by the college campus:
516 (i) ensure that secondary students in the public education system have access to
517 ~~[applied technology]~~ career and technical education at each college campus; and
518 (ii) prepare and submit an annual report to the Utah College of Applied Technology
519 detailing:
520 (A) how the ~~[applied technology]~~ career and technical education needs of secondary
521 students within the region are being met;
522 (B) what access secondary students within the region have to programs offered at
523 college campuses; and
524 (C) how the emphasis on high demand, high wage jobs in business and industry
525 described in Subsection (1)(c)(ii) is being provided.
526 (2) A college campus may offer_
527 (a) a competency-based high school diploma approved by the State Board of
528 Education in accordance with Section 53A-1-402; and
529 (b) non-credit, preparatory instruction in areas such as reading and mathematics that
530 are necessary for student success in a chosen career and technical education or job-related
531 program.
532 (3) A college campus may not:
533 (a) offer courses other than ~~[applied technology education and preparatory instruction~~
534 ~~in areas such as reading and mathematics that are necessary for student success in a~~
535 ~~chosen applied technology education or job-related program]~~ non-credit career and technical
536 education or the non-credit preparatory instruction described in Subsection(2)(b);
537 (b) offer a degree ~~[other than an associate of [applied technology] career and~~
538 ~~technical education degree approved by the State Board of Regents in accordance with~~
539 ~~Section 53B-1-103];~~
540 (c) provide tenure or academic rank for its instructors; and
541 (d) participate in intercollegiate athletics.
542 (4) (a) The mission of a college campus is limited to ~~[applied technology]~~ non-credit

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543 career and technical education and may not expand to include credit-based academic
544 programs typically offered by community colleges or other institutions of higher education.

545 (b) A college campus may not offer a ~~[noncredit]~~ non-credit academic program that is
546 offered as a ~~[noncredit]~~ non-credit program by another higher education institution that is
547 located in the same service region unless the program has received ~~[approval through the~~
548 ~~regional planning process required by the State Board of Regents]~~ the approval of the Utah
549 College of Applied Technology board of trustees.

550 ~~[(c) If a program is approved to be offered at more than one institution of higher~~
551 ~~education through the regional planning process required by the State Board of Regents, the~~
552 ~~institutions within that region shall agree to a uniform tuition for that program and submit the~~
553 ~~proposed tuition level to the State Board of Regents for approval.]~~

554 (5) ~~[Each]~~ A campus shall be recognized as a college campus of the Utah College of
555 Applied Technology, and regional affiliation shall be retained and recognized through local
556 designations such as "Bridgerland Applied Technology College: A Utah College of Applied
557 Technology Campus."

558

559 **53B-2a-107. Campus presidents -- Appointments -- Duties.**

560 (1) (a) The president of the Utah College of Applied Technology shall, after
561 consultation with the campus board of directors and with the approval of board of trustees,
562 appoint a campus president for a college campus. ~~[from a list of at least three names~~
563 ~~submitted to the president by the campus board of directors to]~~

564 (b) A campus president shall serve as the chief administrative officer of the college
565 campus.

566 ~~[(b)]~~ (c) A campus president does not need to have a doctorate degree, but shall have
567 extensive experience in ~~[applied technology]~~ career and technical education.

568 ~~[(c)]~~ (d) A campus president is subject to regular review and evaluation administered
569 by the Utah College of Applied Technology president, in cooperation with the campus board
570 of directors, through a process approved by the board of trustees.

571 ~~[(d)]~~ (e) A campus president serves at the discretion of the Utah College of Applied
572 Technology president, in cooperation with the campus board of directors and the board of
573 trustees.

574 (2) Each campus president of a college campus shall:

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(a) serve as the executive officer of the campus board of directors;

(b) administer the day-to-day operations of the college campus;

~~(c) consult with~~ ~~[under the direction of]~~ the campus board of directors; and

~~[(c)]~~ (d) administer human resource policies and employee compensation plans in

accordance with the requirements of the Utah College of Applied Technology Board of Trustees.

53B-2a-108. Campus boards of directors -- Membership -- Appointments.

~~[Each]~~ A campus shall have a campus board of directors appointed as follows:

(1) the Bridgerland Applied Technology College Campus Board of Directors shall be composed of the following ~~[13]~~ 11 members:

(a) one elected local school board member appointed by the board of education for the Box Elder School District;

(b) one elected local school board member appointed by the board of education for the Cache School District;

(c) one elected local school board member appointed by the board of education for the Logan School District;

(d) one elected local school board member appointed by the board of education for the Rich School District;

(e) one member of the Utah State University board of trustees; and

~~[(f) one member of the State Board of Regents designated by the chair of the State Board of Regents to serve a one-year term; and]~~

~~[(g)]~~ (f) ~~[seven]~~ six representatives of business or industry employers within the region appointed jointly by the members appointed under Subsections (1)(a) through ~~[(f)]~~ (e);

(2) the Ogden-Weber Applied Technology College Campus Board of Directors shall be composed of the following ~~[11]~~ 9 members:

(a) one elected local school board member appointed by the board of education for the Ogden City School District;

(b) one elected local school board member appointed by the board of education for the Weber School District;

(c) one elected local school board member jointly appointed by the boards of education for the Ogden City School District and the Weber School District;

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607 (d) one member of the Weber State University board of trustees; and
608 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
609 ~~Board of Regents to serve a one-year term; and]~~
610 ~~[(f)]~~ (e) ~~[six]~~ five representatives of business or industry employers within the region
611 appointed jointly by the members appointed under Subsections (2)(a) through ~~[(e)]~~ (d);
612 (3) the Davis Applied Technology College Campus Board of Directors shall be
613 composed of the following ~~[14]~~ 9 members:
614 (a) one elected local school board member appointed by the board of education for
615 the Davis School District;
616 (b) one elected local school board member appointed by the board of education for
617 the Morgan School District;
618 (c) one elected local school board member jointly appointed by the boards of
619 education for the Davis School District and the Morgan School District;
620 (d) one member of the Weber State University board of trustees;
621 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
622 ~~Board of Regents to serve a one-year term; and]~~
623 ~~[(f)]~~ (e) ~~[six]~~ five representatives of business or industry employers within the region
624 appointed jointly by the members appointed under Subsections (3)(a) through ~~[(e)]~~ (d);
625 (4) the ~~[Salt Lake/Tooele]~~ Tooele Applied Technology College Campus Board of
626 Directors shall be composed of the following ~~[15]~~ 9 members:
627 ~~[(a) one elected local school board member appointed by the board of education for~~
628 ~~the Salt Lake City School District;~~
629 ~~—— (b) one elected local school board member appointed by the board of education for~~
630 ~~the Granite School District;~~
631 ~~—— (c) one elected local school board member appointed by the board of education for~~
632 ~~the Jordan School District;~~
633 ~~—— (d) one elected local school board member appointed by the board of education for~~
634 ~~the Murray School District;]~~
635 ~~[(e)]~~ (a) ~~[one]~~ three elected local school board ~~[member]~~ members appointed by the
636 board of education for the Tooele School District;
637 ~~[(f)]~~ (b) one member of the Salt Lake Community College board of trustees; and
638 ~~[(g) one member [of the State Board of Regents] designated by the chair of the State~~

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639 ~~Board of Regents [to serve a one-year term]; and]~~

640 ~~[(h)] (c) [eight] five~~ representatives of business or industry employers within the region
641 appointed jointly by the members appointed under Subsections (4)(a) through ~~[(g)] (b);~~

642 (5) the Mountainland Applied Technology College Campus Board of Directors shall be
643 composed of the following ~~[49] 17~~ members:

644 (a) one elected local school board member appointed by the board of education for
645 the Alpine School District;

646 (b) one elected local school board member appointed by the board of education for
647 the Nebo School District;

648 (c) one elected local school board member appointed by the board of education for
649 the Provo School District;

650 (d) one elected local school board member appointed by the board of education for
651 the South Summit School District;

652 (e) one elected local school board member appointed by the board of education for
653 the North Summit School District;

654 (f) one elected local school board member appointed by the board of education for
655 the Wasatch School District;

656 (g) one elected local school board member appointed by the board of education for
657 the Park City School District;

658 (h) one member of the Utah Valley University board of trustees;

659 ~~[(i) one member of the State Board of Regents designated by the chair of the State~~
660 ~~Board of Regents to serve a one-year term; and]~~

661 ~~[(f)] (i) [ten] nine~~ representatives of business or industry employers within the region
662 appointed jointly by the members appointed under Subsections (5)(a) through ~~[(f)] (h);~~

663 (6) the Uintah Basin Applied Technology College Campus Board of Directors shall be
664 composed of the following ~~[44] nine~~ members:

665 (a) one elected local school board member appointed by the board of education for
666 the Daggett School District;

667 (b) one elected local school board member appointed by the board of education for
668 the Duchesne School District;

669 (c) one elected local school board member appointed by the board of education for
670 the Uintah School District;

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671 (d) one member of the Utah State University board of trustees; and
672 ~~[(e) one member of the State Board of Regents designated by the chair of the State~~
673 ~~Board of Regents to serve a one-year term; and]~~
674 ~~[(f)]~~ (e) ~~[six]~~ five representatives of business or industry employers within the region
675 appointed jointly by the members appointed under Subsections (6)(a) through ~~[(e)]~~ (d);
676 (7) the Southwest Applied Technology College Campus Board of Directors shall be
677 composed of the following ~~[13]~~ 11 members:
678 (a) one elected local school board member appointed by the board of education for
679 the Beaver School District;
680 (b) one elected local school board member appointed by the board of education for
681 the Garfield School District;
682 (c) one elected local school board member appointed by the board of education for
683 the Iron School District;
684 (d) one elected local school board member appointed by the board of education for
685 the Kane School District;
686 (e) one member of the Southern Utah University board of trustees; and
687 ~~[(f) one member of the State Board of Regents designated by the chair of the State~~
688 ~~Board of Regents to serve a one-year term; and]~~
689 ~~[(g)]~~ (f) ~~[seven]~~ six representatives of business or industry employers within the region
690 appointed jointly by the members appointed under Subsections (7)(a) through ~~[(f)]~~ (e);
691 (8) the Dixie Applied Technology College Campus Board of Directors shall be
692 composed of the following ~~[14]~~ nine members:
693 (a) three elected local school board members appointed by the board of education for
694 the Washington School District;
695 (b) one member of the Dixie State College of Utah board of trustees; and
696 ~~[(c) one member of the State Board of Regents designated by the chair of the State~~
697 ~~Board of Regents to serve a one-year term; and]~~
698 ~~[(d)]~~ (c) ~~[six]~~ five representatives of business or industry employers within the region
699 appointed jointly by the members appointed under Subsections (8)(a) through ~~[(e)]~~ (b); and
700 (9) the representatives of business or industry employers shall be_
701 (a) appointed jointly by the designated members from a list of names provided by local
702 organizations or associations whose members employ workers with [applied technology]

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703 career and technical education~~[-]~~ ;

704 (b) individuals recognized for their knowledge and expertise;

705 (c) individuals who represent current and emerging technical career clusters of the
706 state; and.

707 (d) appointed on a nonpartisan basis.

708

709 **53B-2a-109. Campus boards of directors -- Terms -- Quorum -- Chair--**

710 **Compensation.**

711 (1) (a) At the first meeting of a campus board of directors after ~~[September 1, 2001]~~
712 July 1, 2009:

713 (i) the representatives from the local school boards shall divide up their positions so
714 that approximately half of them serve for two-year terms and half serve for four-year terms;
715 and

716 (ii) the representatives from business and industry employers shall divide up their
717 positions so that approximately half of them serve for two-year terms and half serve for
718 four-year terms.

719 (b) Except as provided in Subsection (1)(a) ~~[and except for State Board of Regents~~
720 ~~members who serve a one-year term]~~, individuals appointed to a campus board of directors
721 shall serve four-year terms.

722 (2) The original appointing authority shall fill any vacancies that occur on the campus
723 board of directors.

724 (3) A majority of the campus board of directors is a quorum.

725 (4) ~~[The]~~ A campus board of directors shall elect a chair from its membership.

726 (5) (a) (i) Members who are not government employees shall receive no
727 compensation or benefits for their services, but may receive per diem and expenses incurred
728 in the performance of the member's official duties from the campus board of directors at the
729 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

730 (ii) Members may decline to receive per diem and expenses for their service.

731 (b) (i) Higher education members who do not receive salary, per diem, or expenses
732 from the entity that they represent for their service may receive per diem and expenses
733 incurred in the performance of their official duties from the campus board of directors at the
734 rates established by the Division of Finance under Sections 63A-3-106 and 63A-3-107.

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735 (ii) Higher education members may decline to receive per diem and expenses for their
736 service.

737 (c) (i) Members appointed by local school boards who do not receive salary, per diem,
738 or expenses from the entity that they represent for their service may receive per diem and
739 expenses incurred in the performance of their official duties from the campus board of
740 directors at the rates established by the Division of Finance under Sections 63A-3-106 and
741 63A-3-107.

742 (ii) Local school board members may decline to receive per diem and expenses for
743 their service.

744 (6) (a) ~~[Each]~~ A campus board of directors may enact bylaws for its own government,
745 including provision for regular meetings, that are in accordance with the policies of the Utah
746 College of Applied Technology.

747 (b) (i) The campus board of directors may provide for an executive committee in its
748 bylaws.

749 (ii) If established, the committee shall have the full authority of the campus board of
750 directors to act upon routine matters during the interim between ~~[regional]~~ board meetings.

751 (iii) The committee may act on nonroutine matters only under extraordinary and
752 emergency circumstances.

753 (iv) The committee shall report its activities to the campus board of directors at its
754 next regular meeting following the action.

755 (7) A ~~[regional]~~ campus board of directors may establish advisory committees.

756
757 **53B-2a-110. Campus board of directors -- Powers and duties.**

758 (1) ~~[Each]~~ A campus board of directors shall:

759 (a) assist the campus president in preparing ~~[prepare and submit]~~ a budget request
760 for its annual operations to the Utah College of Applied Technology Board of Trustees;

761 (b) after consulting with the Utah College of Applied Technology, other higher
762 education institutions, ~~[and]~~ ~~[local]~~ school districts, and charter schools within its region,
763 prepare a comprehensive strategic plan for delivering ~~[applied technology]~~ career and
764 technical education within its region;

765 (c) consult with business, industry, the Department of Workforce Services, the
766 Governor's Office of Economic Development, and the Governor's Office of Planning and

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767 Budget on an ongoing basis to determine what workers and skills are needed for
768 employment in Utah businesses and industries;

769 (d) develop programs based upon the information gathered in accordance with
770 Subsection (1)(c), including expedited program approval and termination procedures to meet
771 market needs;

772 (e) adopt an annual budget and fund balances;

773 (f) develop policies for the operation of applied technology education facilities under
774 its jurisdiction;

775 (g) establish human resources and compensation policies for all employees in
776 accordance with policies of the Utah College of Applied Technology Board of Trustees;

777 (h) approve credentials for employees and assign employees to duties in accordance
778 with the Utah College of Applied Technology Board of Trustees policies and accreditation
779 guidelines;

780 (i) conduct annual program evaluations;

781 (j) appoint program advisory committees and other advisory groups to provide
782 counsel, support, and recommendations for updating and improving the effectiveness of
783 training programs and services;

784 (k) approve regulations, both regular and emergency, to be issued and executed by
785 the campus president;

786 (l) coordinate with local school boards, [and] school districts, and charter schools to
787 protect the [applied technology] career and technical education needs of secondary students;
788 and

789 (m) develop policies and procedures for the admission, classification, instruction, and
790 examination of students in accordance with the policies and accreditation guidelines of the
791 Utah College of Applied Technology~~;~~ and the State Board of Education~~;~~ and the State
792 Board of Regents.

793 (2) A campus board of directors may not exercise any jurisdiction over [applied
794 technology] career and technical education provided by a [local] school district or charter
795 school or provided by a higher education institution independently of a college campus.

796 (3) If a program advisory committee or other advisory group submits a printed
797 recommendation to the campus board of directors, the campus board of directors shall
798 acknowledge the recommendation with a printed response that explains the campus board

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799 of directors' action regarding the recommendation and the reasons for the action.

800

801 **53B-2a-111. [State] Board of [Regents] Trustees -- Consultation with [boards**
802 **of trustees] State Board of Regents .**

803 (1) The [board] Utah College of Applied Technology Board of Trustees shall consult
804 with the [~~Utah of Applied Technology Board of Trustees or the president of the Utah College~~
805 ~~of Applied Technology or both before acting on matters pertaining to the~~] [~~Utah College of~~
806 ~~Applied Technology~~] State Board of Regents to coordinate the delivery of career and
807 technical education.

808 [~~(2) The board shall consult with a campus board of directors or the campus president~~
809 ~~or both before acting on matters pertaining to a college campus.]~~

810 [~~(3)~~] (2) The Utah College of Applied Technology Board of Trustees [board] may[
811 ~~— (a) call~~] request meetings with the State Board of Regents. [~~Utah College of Applied~~
812 ~~Technology Board of Trustees or one or more of the campus boards of directors; and~~
813 ~~— (b) appoint committees to perform duties assigned by the board that include:~~
814 ~~— (i) (A) members of the Utah College of Applied Technology Board of Trustees; or~~
815 ~~— (B) administrators of the Utah College of Applied Technology; or~~
816 ~~— (ii) (A) members of one or more of the campus boards of directors; or~~
817 ~~— (B) administrators, faculty staff members, or students of one or more of the college~~
818 ~~campuses.]~~

819

820 **53B-2a-112. College campuses -- Relationships with other public and higher**
821 **education institutions -- Agreements -- Priorities -- New capital facilities.**

822 (1) As used in this section, "higher education institution" means, for each college
823 campus, the higher education institution designated in Section 53B-2a-108, except for the
824 State Board of Regents, to have a representative on its campus board of directors.

825 (2) A college campus shall avoid any unnecessary duplication of [~~applied technology~~]
826 career and technical education instructional facilities, programs, administration, and staff
827 between the college campus and other public and higher education institutions.

828 (3) A college campus may enter into agreements:

829 (a) with other higher education institutions to cultivate cooperative relationships;

830 (b) with other public and higher education institutions to enhance [~~applied technology~~]

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831 career and technical education within its region; or

832 (c) to comply with Subsection (2).

833 (4) Before a college campus develops its own new instructional facilities, it shall give
834 priority to:

835 (a) maintaining its own existing instructional facilities for both secondary and adult
836 students;

837 (b) coordinating with the president of a higher education institution and entering into
838 any necessary agreements to provide [applied technology] career and technical education to
839 both secondary and adult students that:

840 (i) maintain and support existing higher education [applied technology] career and
841 technical education programs; and

842 (ii) maximize the use of existing higher education facilities; and

843 (c) developing cooperative agreements with [local] school districts, charter schools,
844 other higher education institutions, businesses, industries, and community and private
845 agencies to maximize the availability of [applied technology] career and technical education
846 instructional facilities for both secondary and adult students.

847 (5) (a) Before submitting a funding request pertaining to new capital facilities and land
848 purchases to the Utah College of Applied Technology, a college campus shall:

849 (i) ensure that all available instructional facilities are maximized in accordance with
850 Subsections (4)(a) through (c); and

851 (ii) coordinate the request with the president of a higher education institution, if
852 applicable.

853 (b) The State Building Board shall make a finding that the requirements of this section
854 are met before it may consider a funding request of the Utah College of Applied Technology
855 pertaining to new capital facilities and land purchases.

856 (c) A college campus may not construct, approve the construction of, plan for the
857 design or construction of, or consent to the construction of an [applied technology] career
858 and technical education facility without approval of the Legislature.

859 (6) Before acquiring new fiscal and administrative support structures, a college
860 campus shall:

861 (a) review the use of existing public or higher education administrative and accounting
862 systems, financial record systems, and student and financial aid systems for the delivery of

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863 ~~[applied technology] career and technical~~ education in the region;

864 (b) determine whether it is feasible to use those existing systems; and

865 (c) with the approval of the campus board of directors and the board of trustees, use
866 those existing systems.

867 ~~[(7)(a) The higher education institution for the region shall have the first opportunity~~
868 ~~to offer the general education courses that are required for an associate of [applied~~
869 ~~technology] career and technical education degree offered by the Utah [College of Applied]~~
870 ~~Institute of Technology, at the [college] campus site.~~

871 ~~—— (b) The content of the general education courses described in Subsection (7)(a) shall~~
872 ~~be defined by the higher education institution for the region in a manner consistent with the~~
873 ~~needs of the Utah [College of Applied] Institute of Technology.~~

874 ~~—— (c) If the higher education institution for the region is unable to offer the courses~~
875 ~~described in Subsection (7)(a), other institutions of higher education may offer those~~
876 ~~courses.]~~

877 ~~[(d) The college campuses shall be responsible to provide technical skills training and~~
878 ~~basic skills as required by business and industry towards an associate of applied technology~~
879 ~~degree.]~~

880

881 **53B-2a-113. College campuses -- Leasing authority -- Lease-purchase** 882 **agreements -- Report.**

883 (1) In accordance with Subsection 53B-2a-112(2), a college campus may enter into a
884 lease with other higher education institutions, public school districts, charter schools, state
885 agencies, or business and industry for a term of:

886 (a) one year or less with the approval of the campus board of directors ; and

887 (b) more than one year with the approval of the board of trustees and:

888 (i) the approval of funding for the lease by the Legislature prior to a college campus
889 entering into the lease; or

890 (ii) the lease agreement includes language that allows termination of the lease without
891 penalty.

892 (2) (a) In accordance with Subsection 53B-2a-112(2), a college campus may enter
893 into a lease-purchase agreement if:

894 (i) there is a long-term benefit to the state;

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895 (ii) the project is included in both the campus and Utah College of Applied Technology
896 master plans;

897 (iii) the lease-purchase agreement includes language that allows termination of the
898 lease;

899 (iv) the lease-purchase agreement is approved by the campus board of directors and
900 the board of trustees; and

901 (v) the lease-purchase agreement is:

902 (A) reviewed by the Division of Facilities Construction and Management;

903 (B) reviewed by the State Building Board; and

904 (C) approved by the Legislature.

905 (b) An approval under Subsection (2)(a) shall include a recognition of:

906 (i) all parties, dates, and elements of the agreement;

907 (ii) the equity or collateral component that creates the benefit; and

908 (iii) the options dealing with the sale and division of equity.

909 (3) (a) Each college campus shall provide an annual lease report to the board of
910 trustees that details each of its leases, annual costs, location, square footage, and
911 recommendations for lease continuation.

912 (b) The president of the Utah College of Applied Technology shall compile and
913 distribute an annual combined lease report for all college campuses to the Division of
914 Facilities Construction Management and to others upon request.

915 (4) The Utah College of Applied Technology shall use the annual combined lease
916 report in determining planning, utilization, and budget requests.

917

918 **53B-6-101. Additional responsibilities of the board -- Studies and evaluations --**
919 **Master plan for higher education -- Productivity -- Institutional student assessment --**
920 **Biennial accountability report to the Legislature.**

921 (1) The board shall conduct continuing studies and evaluations of the facilities,
922 grounds, buildings, and equipment at the higher education institutions under its jurisdiction
923 and use space utilization and other studies conducted by the State Building Board.

924 (2) The board shall establish and maintain an up-to-date master plan which shall
925 include:

926 (a) providing for statewide planning of public higher education in terms of aims,

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927 purposes, and objectives of the system as a whole;

928 (b) establishing and defining the role and programs of each institution within the
929 system;

930 (c) establishing criteria for and determination of the future needs and requirements for
931 new programs and new institutions and the elimination, curtailment, or consolidation of
932 existing programs and facilities;

933 (d) providing for the initiation and financing of projects as considered necessary to
934 meet and satisfy the projected patterns of growth and maintenance;

935 (e) establishing criteria for and determination of the operating and capital budgetary
936 needs of each institution and the system as a whole;

937 (f) recommending the methods and sources of future financial support of the higher
938 education system;

939 (g) establishing procedures for the development of maximum utilization of existing
940 facilities as suggested by space utilization studies conducted by the State Building Board;
941 and

942 (h) securing an adequate and coordinated program for the community colleges and
943 [applied technology/technical] career and technical education programs in the institutions and
944 departments in the state system of higher education.

945 (3) (a) The board may do all things necessary for the effective implementation of the
946 statewide master plan as adopted and revised by the board from time to time.

947 (b) The State Board of Education and the Utah College of Applied Technology shall
948 provide [applied technology] career and technical education staff assistance to the State
949 Board of Regents in support of master planning activities related to [applied technology]
950 career and technical education in higher education.

951 (4) (a) The board shall adopt rules and initiate programs to promote and increase
952 productivity in the state system of higher education.

953 (b) The board shall require each college and university in the system to establish
954 multiple measures of institutional and student assessment in order to improve student
955 instruction, academic programs, and learning opportunities.

956 (c) The board shall submit a biennial accountability report to the Legislature, which
957 shall include such factors as:

958 (i) space utilization, faculty productivity, and other similar measures of the

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959 management of institutional resources at each institution; and

960 (ii) student assessment at entry to each institution, at critical midway points, and at
961 exit.

962 (d) The board shall establish a systemwide committee to address assessment and
963 accountability issues and propose essential elements to be included in the biennial report.

964

965

966 **53B-16-102. Changes in curriculum -- Substantial alterations in institutional**
967 **operations -- Periodic review of programs -- [Applied technology] career and technical**
968 **education curriculum changes.**

969 (1) Under procedures and policies approved by the board and developed in
970 consultation with each institution of higher education, each institution may make such
971 changes in its curriculum as necessary to better effectuate the institutional role previously
972 approved by the board.

973 (2) Notice of a change in the curriculum shall in all cases be promptly submitted to the
974 board.

975 (3) The board shall establish procedures and policies for considering institutional
976 proposals for substantial alterations in the scope of existing institutional operations.

977 (4) Alterations shall not be made without prior approval of the state board.

978 (5) For purposes of this section, "substantial alteration" means the establishment of a
979 branch, extension center, college, professional school, division, institute, department, or a
980 new program in instruction, research, or public services or a new degree, diploma, or
981 certificate.

982 (6) The board shall conduct periodic reviews of all programs of instruction, research,
983 and public service at each institution, including those funded by gifts, grants, and contracts,
984 and may require the modification or termination of any program.

985 (7) Prior to requiring modification or termination of a program, the board shall give the
986 institution adequate opportunity for a hearing before the board.

987 (8) In making decisions related to [applied technology] career and technical education
988 curriculum changes, the board shall request a review of the proposed changes by the State
989 Board of Education to ensure an orderly and systematic [applied technology] career and
990 technical education curriculum that eliminates overlap and duplication of course work with the

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991 high schools ~~[and]~~ , the Utah College of Applied Technology , and other institutions of
992 higher education.

993

994 **53B-16-204. Salt Lake Skills Center -- Role and mission -- Supervision and**
995 **administration.**

996 (1) (a) There is hereby established a Salt Lake Skills Center.

997 (b) The center shall provide short-term, intensive, noncredit~~[, vocational-technical~~
998 ~~training specifically designed for economically disadvantaged students and educationally~~
999 ~~disadvantaged students]~~ career and technical education for both secondary and adult
1000 students.

1001 (c) Training at the center shall focus on immediate job entry skills.

1002 (d) The center shall ensure that economically disadvantaged, educationally
1003 disadvantaged, or other at-risk students have access to career and technical education.

1004 (2) (a) The State Board of Regents shall exercise general control and supervision
1005 over the center.

1006 (b) Salt Lake Community College shall administer the center under the board's
1007 supervision and in consultation with the career and technical education board of directors as
1008 provided in Section 53B-16-210.

1009

1010 **53B-16-205. Establishment of Snow College Richfield campus -- Supervision**
1011 **and administration -- Transition -- Institutional mission.**

1012 (1) There is established a branch campus of Snow College in Richfield, Utah,
1013 hereafter referred to as the Snow College Richfield campus.

1014 (2) Snow College shall administer the branch campus under the general control and
1015 supervision of the State Board of Regents as an integrated part of Snow College's mission,
1016 programs, and curriculum.

1017 (3) Snow College shall:

1018 (a) maintain a strong curriculum in ~~[applied technology and technical]~~ career and
1019 technical education courses at the Snow College Richfield campus and within the region
1020 served by Snow College which can be transferred to other institutions within the higher
1021 education system, together with lower division courses and courses required for associate
1022 degrees in science, arts, applied science, and ~~[applied technology]~~ career and technical

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1023 education;

1024 (b) work with [local] school districts and charter schools in developing an aggressive
1025 concurrent enrollment program in cooperation with Snow College Richfield campus; and

1026 (c) provide, through the Snow College Richfield Campus, for open-entry, open-exit
1027 competency-based [applied technology] career and technical education programs, at the
1028 tuition rate approved by the Utah College of Applied Technology for adults and at no tuition
1029 cost to secondary students, that emphasize short-term job training or retraining for immediate
1030 placement in the job market and serve the geographic area encompassing:

- 1031 (i) the Juab School District;
1032 (ii) the Millard School District;
1033 (iii) the Tintic School District;
1034 (iv) the North Sanpete School District;
1035 (v) the South Sanpete School District;
1036 (vi) the Wayne School District;
1037 (vii) the Piute School District; and
1038 (viii) the Sevier School District.

1039 (4) Snow College may not exercise any jurisdiction over [applied technology] career
1040 and technical education provided by a [local] school district or charter school independently
1041 of Snow College.

1042 (5) Snow College shall report to the Utah College of Applied Technology by
1043 September 30 of each year on the status of and maintenance of the effort for [applied
1044 technology] career and technical education in the region served by Snow College, including
1045 access to open-entry, open-exit competency-based [applied technology] career and technical
1046 education programs at the tuition rate approved by the Utah College of Applied Technology
1047 board for adults and at no tuition cost to secondary students.

1048 (6) Legislative appropriations to Snow College's career and technical education shall
1049 be made as line items that are separate from other appropriations for Snow College.

1050 **53B-16-206. Snow College -- [Applied technology] Career and technical**
1051 **education advisory committee -- Membership -- Duties.**

1052 (1) The Snow College Richfield campus shall have [an applied technology] a career
1053 and technical education advisory committee composed of the following 19 members:

1054 (a) one elected local school board member appointed by the board of education for

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1055 the Juab School District;

1056 (b) one elected local school board member appointed by the board of education for
1057 the Millard School District;

1058 (c) one elected local school board member appointed by the board of education for
1059 the Tintic School District;

1060 (d) one elected local school board member appointed by the board of education for
1061 the North Sanpete School District;

1062 (e) one elected local school board member appointed by the board of education for
1063 the South Sanpete School District;

1064 (f) one elected local school board member appointed by the board of education for
1065 the Wayne School District;

1066 (g) one elected local school board member appointed by the board of education for
1067 the Piute School District;

1068 (h) one elected local school board member appointed by the board of education for
1069 the Sevier School District;

1070 (i) one member of the Snow College board of trustees appointed by the president of
1071 Snow College; and

1072 (j) ten representatives of business or industry within the region appointed by the
1073 president of Snow College from nominations of the members appointed under Subsections
1074 (1)(a) through (i).

1075 (2) The ~~[applied technology]~~ career and technical education advisory committee
1076 shall:

1077 (a) after consulting with Snow College and local school districts within its region,
1078 prepare a comprehensive strategic plan for delivering ~~[applied technology]~~ career and
1079 technical education within its region;

1080 (b) make recommendations regarding what skills are needed for employment in Utah
1081 businesses and industries;

1082 (c) recommend programs based upon the information gathered in accordance with
1083 Subsection (2)(b);

1084 (d) review annual program evaluations;

1085 (e) provide counsel, support, and recommendations for updating and improving the
1086 effectiveness of ~~[applied technology]~~ career and technical education programs and

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1087 services, including expedited program approval and termination of procedures, consistent
1088 with Board of Regents' policy;

1089 (f) monitor program advisory committees and other advisory groups to provide
1090 counsel, support, and recommendations for updating and improving the effectiveness of
1091 training programs and services; and

1092 (g) coordinate with local school boards , [and] school districts , and charter schools
1093 to protect and enhance the applied technology education needs of secondary students.

1094

1095 **53B-16-207. College of Eastern Utah -- ~~[Applied technology]~~ Career and**
1096 **technical education -- Supervision and administration -- Transition -- Institutional**
1097 **mission.**

1098 (1) The College of Eastern Utah shall:

1099 (a) maintain a strong curriculum in ~~[applied technology]~~ career and technical
1100 education courses at its campus and within the region it serves which can be transferred to
1101 other institutions within the higher education system, together with lower division courses and
1102 courses required for associate degrees in science, arts, applied science, and ~~[applied~~
1103 technology] career and technical education ;

1104 (b) work with ~~[local]~~ school districts and charter schools in developing an aggressive
1105 concurrent enrollment program; and

1106 (c) provide for open-entry, open-exit competency-based ~~[applied technology]~~ career
1107 and technical education programs, at the tuition rate approved by the Utah College of
1108 Applied Technology for adults and at no tuition cost to secondary students, that emphasize
1109 short-term job training or retraining for immediate placement in the job market and serve the
1110 geographic area encompassing:

- 1111 (i) the Carbon School District;
1112 (ii) the Emery School District;
1113 (iii) the Grand School District; and
1114 (iv) the San Juan School District.

1115 (2) The College of Eastern Utah may not exercise any jurisdiction over ~~[applied~~
1116 technology] career and technical education provided by a ~~[local]~~ school district or charter
1117 school independently of the College of Eastern Utah.

1118 (3) The College of Eastern Utah shall report to the Utah College of Applied

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1119 Technology by September 30 of each year on the status of and maintenance of the effort for
1120 ~~[applied technology]~~ career and technical education in the region served by the College of
1121 Eastern Utah, including access to open-entry, open-exit competency-based ~~[applied~~
1122 ~~technology]~~ career and technical education programs at the tuition rate approved by the
1123 Utah College of Applied Technology for adults and at no tuition cost to secondary students.
1124 (4) Legislative appropriations to the College of Eastern Utah's career and technical
1125 education shall be made as line items that are separate from other appropriations for the
1126 College of Eastern Utah.

1127

1128 **53B-16-208. The College of Eastern Utah -- ~~[Applied technology]~~ Career and**
1129 **technical education advisory committee -- Membership -- Duties.**

1130 (1) The College of Eastern Utah shall have ~~[an applied technology]~~ a career and
1131 technical education advisory committee composed of the following 11 members:

1132 (a) one elected local school board member appointed by the board of education for
1133 the Carbon School District;

1134 (b) one elected local school board member appointed by the board of education for
1135 the Emery School District;

1136 (c) one elected local school board member appointed by the board of education for
1137 the Grand School District;

1138 (d) one elected local school board member appointed by the board of education for
1139 the San Juan School District;

1140 (e) one member of the College of Eastern Utah board of trustees appointed by the
1141 president of the College of Eastern Utah; and

1142 (f) six representatives of business or industry within the region appointed by the
1143 president of the College of Eastern Utah from members of the program advisory committees
1144 overseeing career and technical education in the region.

1145 (2) The ~~[applied technology]~~ career and technical education advisory committee
1146 shall:

1147 (a) after consulting with the College of Eastern Utah ~~[and]~~ , school districts, and
1148 charter schools within its region, prepare a comprehensive strategic plan for delivering
1149 ~~[applied technology]~~ career and technical education within its region;

1150 (b) make recommendations regarding what skills are needed for employment in Utah

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1151 businesses and industries;

1152 (c) recommend programs based upon the information gathered in accordance with
1153 Subsection (2)(b);

1154 (d) review annual program evaluations;

1155 (e) provide counsel, support, and recommendations for updating and improving the
1156 effectiveness of ~~[applied technology]~~ career and technical education programs and services,
1157 including expedited program approval and termination of procedures, consistent with Board
1158 of Regents' policy;

1159 (f) monitor program advisory committees and other advisory groups to provide
1160 counsel, support, and recommendations for updating and improving the effectiveness of
1161 training programs and services; and

1162 (g) coordinate with local school boards ~~[and]~~ , school districts, and charter schools to
1163 protect and enhance the ~~[applied technology]~~ career and technical education needs of
1164 secondary students.

1165 **53B-16-209. Salt Lake Community College -- Career and technical education --**
1166 **Supervision and administration -- Transition -- Institutional mission.**

1167 (1) Salt Lake Community College shall:

1168 (a) maintain a strong curriculum in career and technical education courses at its
1169 campus and within the region it serves which can be transferred to other institutions within
1170 the higher education system, together with lower division courses and courses required for
1171 associate degrees in science, arts, applied science, and career and technical education;

1172 (b) work with school districts and charter schools in developing an aggressive
1173 concurrent enrollment program; and

1174 (c) provide for open-entry, open-exit competency-based career and technical
1175 education programs, at the tuition rate approved by the Utah College of Applied Technology
1176 for adults and at no tuition cost to secondary students, that emphasize short-term job training
1177 or retraining for immediate placement in the job market and serve the geographic area
1178 encompassing:

1179 (a) the Salt Lake City School District;

1180 (b) the Granite School District;

1181 (c) the Jordan School District; and

1182 (d) the Murray School District.

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(2) Salt Lake Community College may not exercise any jurisdiction over career and technical education provided by a school district or charter school independently of Salt Lake Community College.

(3) Salt Lake Community College shall report to the Utah College of Applied Technology by September 30 of each year on the status of and maintenance of the effort for career and technical education in the region served by Salt Lake Community College, including access to open-entry, open-exit competency-based career and technical education programs at the tuition rate approved by the Utah College of Applied Technology board for adults and at no tuition cost to secondary students.

(4) Legislative appropriations to the Salt Lake Skills Center and Salt Lake Community College's career and technical education shall be made as line items that are separate from other appropriations for Salt Lake Community College.

53B-16-210. Salt Lake Community College -- Career and technical education board of directors -- Membership -- Duties.

(1) Salt Lake Community College shall have a career and technical education board of directors composed of the following 13 members:

(a) one elected local school board member appointed by the board of education for the Salt Lake City School District;

(b) one elected local school board member appointed by the board of education for the Granite School District;

(c) one elected local school board member appointed by the board of education for the East Jordan School District;

(d) one elected local school board member appointed by the board of education for the West Jordan School District;

(e) one elected local school board member appointed by the board of education for the Murray School District;

(f) one member of the Salt Lake Community College board of trustees appointed by the president of Salt Lake Community College; and

(f) seven representatives of business or industry within the region appointed by the president of Salt Lake Community College from members of the program advisory committees overseeing career and technical education in the region.

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- 1215 (2) The career and technical education board of directors shall:
- 1216 (a) after consulting with Salt Lake Community College, school districts, and charter
- 1217 schools within its region, prepare a comprehensive strategic plan for delivering career and
- 1218 technical education within its region;
- 1219 (b) make recommendations regarding what skills are needed for employment in Utah
- 1220 businesses and industries;
- 1221 (c) recommend programs based upon the information gathered in accordance with
- 1222 Subsection (2)(b);
- 1223 (d) review annual program evaluations;
- 1224 (e) communicate with the president of Salt Lake Community College regarding career
- 1225 and technical education issues;
- 1226 (f) provide counsel, support, and recommendations for updating and improving the
- 1227 effectiveness of career and technical education programs and services, including expedited
- 1228 program approval and termination of procedures, consistent with Board of Regents' policy;
- 1229 (g) monitor program advisory committees and other advisory groups to provide
- 1230 counsel, support, and recommendations for updating and improving the effectiveness of
- 1231 training programs and services; and
- 1232 (h) coordinate with local school boards, school districts, and charter schools to
- 1233 protect and enhance the career and technical education needs of secondary students.
- 1234 (3)(a) The career and technical education board of directors shall make specific
- 1235 recommendations to the president of Salt Lake Community College concerning:
- 1236 (i) additions, deletions, or expansions of non-credit career and technical education
- 1237 programs at Salt Lake Community College
- 1238 (ii) transitions issues as part of the Salt Lake/Tooele Applied Technology College
- 1239 Campus is transferred to Salt Lake Community College, including:
- 1240 (A) the preservation of employment positions;
- 1241 (B) opportunities for an employee to continue employment in a position that is similar
- 1242 to the employee's previous position; and
- 1243 (C) transfers of employees to other positions on a voluntary basis, with retraining as
- 1244 necessary; and
- 1245 (iii) other recommendations relating to the career and technical education mission of
- 1246 Salt Lake Community College

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1247 (b) If the president of Salt Lake Community College rejects a specific recommendation
1248 of the career and technical education board of directors, the president shall:

1249 (i) notify the board of directors in writing of the rejection and the reasons for the
1250 rejection; and

1251 (ii) provide the board of directors an opportunity to modify its specific recommendation
1252 and resubmit it to the president.

1253 (4) The president of Salt Lake Community College and the chair of its career and
1254 technical education board of directors shall:

1255 (a) annually meet with the Utah College of Applied Technology Board of Trustees to
1256 provide:

1257 (i) the information described in Subsection 53B-16-209(3); and

1258 (ii) a report on the implementation of specific recommendations described in
1259 Subsection (3); and

1260 (b) prepare and submit an annual report to the governor and to the Legislature's
1261 Education Interim Committee by October 31 of each year providing the information described
1262 in Subsection (4)(a)(i) and (ii).

1263 (5) Salt Lake Community College shall provide staff support for the career and
1264 technical education board of directors

1265

1266 **Section 1. Effective date.**

1267 This bill takes effect on July 1, 2009.

1268